

Early the next morning I presented myself again in the same camp, reinforced by a brigade which I had drawn from the capital, and with the intention of forcing the pass at any cost; but when I was about to commence, the enemy made his attack, which lasted ten minutes, and I witnessed, overwhelmed with despair, the defeat of those soldiers worthy of a better fate, because the general who unfortunately commanded them had cut himself off. The consequences of this success appeared terrible to my sight. The enemy could arrive by a rapid move at the capital, before it would be in my power to render assistance; the enemy could, by a flank movement, cut off my detached forces; the enemy had obtained, as a fruit of his victory, the power of bringing the whole of his forces against a part only of mine; and, finally, the enemy, owing to the insubordination and want of skill of one general, could turn to his profit the advantages of my position.

The advanced fort of San Antonio could not be maintained, because our line had been cut, and I gave orders for its garrison to withdraw, whilst I protected the fort and *tete de pont* of Churubusco. The enemy advanced and cut off part of the troops that were retreating, and appeared in front of our nearest defences. There, again, I placed myself at the head of our troops, and my efforts cost the enemy a good deal of blood. The losses, although much to be lamented, naturally proceeded from the retreat, which was hasty, unexpected, and confused, owing to the trains that had to pass through a narrow lane, flanked in its whole extent.

The defence was made from line to line until we came to the third, where I personally restrained the enemy and saved the capital, which had been so unexpectedly placed in danger.

When I was occupied on the 22d in re-organizing the forces, and manning the batteries, having placed myself again at the head of a column which should offer resistance to the last extremity, I received a communication from the general-in-chief of the enemy, proposing an armistice that might give time to listen to the propositions which may be made by the commissioner of the government of the United States, to put an end to the contest between the two nations.

I accepted the armistice, and after having had a meeting of the ministers, I resolved to listen to the above propositions.

The suspension of hostilities is always a blessing, because war is always an evil, particularly after the failure of grand combinations. To free the capital of its horrors, or at least to retard them, was an emergency which I could not resist, and more so when it presented the means of arriving at an honorable peace.

When two nations are in a state of war, they enjoy the right of reciprocally making propositions, which pre-supposes the obligation to listen. A perpetual war is an absurdity, because it is a calamity, and the instinct of self-preservation, which is stronger in nations than in private individuals, counsels us not to refuse any means which may lead to an advantageous settlement. To adopt this step, the constitution confers ample powers on me.

Devoted to interests so noble and exalted, I must at all hazards

maintain the *prestige* and respect of the supreme authority; particularly at present, when, if the factions should molest the government, they would deprive it of the liberty of deliberating, and it would fall into utter insignificance in the presence of our enemies. I will still be more explicit. Attempts at subversive sedition will be punished in an exemplary manner.

I have still a respectable body of troops, and the nation will assist me to maintain its dignity and vindicate its glory. I consider myself as free as if I had just obtained a distinguished victory, and there is no danger that the negotiations of the enemy will impose upon me, when their troops and cannon did not inspire me with fear. We will settle our difficulties amicably, if, above all things, our honor is saved; and we will again appeal to the sword, if force should be interposed to withhold from us justice and the acknowledgment of the rights of the nation.

ANTONIO LOPEZ DE SANTA ANNA.

MEXICO, August 23, 1847.

NOTE.—Copied from the New York Weekly Herald of September 18, 1847.

T.

Proposed articles for an armistice offered to the commissioners on the part of the American army, to serve as a basis, &c.

1. Hostilities shall instantly and absolutely cease between the armies of the United States of America and the United Mexican States, within 30 leagues of the capital of the latter States, to allow time to the commissioners appointed by the two republics to treat of peace.

2. This armistice shall continue as long as the commissioners of the two governments may be engaged in negotiations, or until the commander of either of the said armies shall give formal notice to the other of the cessation of the armistice, and for twenty-four hours after such notice.

3. In the meantime, neither army shall, within 30 leagues of the city of Mexico, commence any new fortification or military work of offence or defence, or do anything to enlarge or strengthen any existing work or fortification of that character within the said limits.

4. Neither army shall be reinforced within the same limits; and any reinforcement in troops or munitions of war, other than subsistence, now approaching either army, shall be stopped at the distance of at least 28 leagues from the city of Mexico.

5. Pending the armistice, the American army shall occupy no position, either for encampment or quarters, within the range of the guns of the city of Mexico, nor make any military *reconnoissance* within such range; and the Mexican forces on the southwest and west of the city of Mexico, including the garrison of Chapultepec, shall immediately retire within musket shot of that city.

6. Neither army, nor any detachment or individuals from either, shall pass the neutral limits established by the last article, except under flags of truce, bearing the correspondence between the two armies, or on the business authorized by the next article; and individuals of either army who may chance to straggle within the neutral limits shall, by the opposite party, be kindly warned off, or sent back to their own army under flags of truce.

7. The American army shall not by violence obstruct the passage from the open country with the city of Mexico, of the ordinary supplies of food necessary to the consumption of its inhabitants or the Mexican army within the city, nor shall the Mexican authorities, civil or military, do any act to obstruct the passage of supplies, from the city or the country, needed by the American army.

8. All American prisoners of war remaining in the hands of the Mexican army, and not heretofore exchanged, shall immediately, or as soon as practicable, be restored to the American army against a like number; having regard to rank of Mexican prisoners of war captured by the American army.

9. All American citizens who were established in the city of Mexico prior to the existing war, and who have since been expelled from that city, shall be allowed to return to their respective business or families therein, without delay or molestation.

10. The better to enable the belligerent armies to execute these articles, and to favor the great object of peace, it is further agreed between the parties that any courier, with despatches, that either army shall desire to send along the line from the city of Mexico, or its vicinity, to and from Vera Cruz, shall receive a passport, signed by the commander of his army, and countersigned by the opposing commander, which passport shall protect such courier and his despatches from any interruption or loss from the American or Mexican troops along the said line; and as a further proof of the desire of Mexico to favor the speedy restoration of peace, on terms just and honorable to both belligerents, it is stipulated on her part to withdraw from that line all guerrilla parties now employed upon it.

WINFIELD SCOTT.

HEAD-QUARTERS OF THE ARMY,
Tacubaya, August 22, 1847.

W.

CITY OF VERA CRUZ, *May 3, 1848.*

Mr. George Whitmen says, under oath, while stationed at Mixcoac, during the armistice, Captain Montgomery, quartermaster, sent word to General Pillow that he was going to send an express to Vera Cruz, and that if he wanted to send letters by him he had an opportunity of doing so. While they were writing the letters at Mixcoac, Major Burns came into Montgomery's quarters to forward his by the same conveyance. He then read a letter, in purport the same, I don't recollect the exact words of it, but he read

a letter similar to that of Leonidas. This letter, among others, I took to Tacubaya, and gave them to Voss's nephew, at about 9 o'clock at night. Mr. Voss is one of the partners of the house of Hargous, Voss & Co. Mr. Voss's nephew was either to take them himself or give them to the British courier, if he did not go himself. He was, I believe, to start the same night. This was about the time the courier (British) was to leave, but whether he gave them to the courier or took them himself I do not know, for he did start about the same time for this place himself, and came through, having been shot on the way.

After the published letter arrived in the city of Mexico, I informed General Pillow that I knew who the author was, and would inform him, with the consent of the author. I then informed General Pillow that the author was a warm and strong friend of his, when the general told me, then, that if it was so, that he was very sorry that he had such friends, and that he did not want to know who it was.

I then went to Major Burns and rallied him upon his writing the Leonidas letter. At first he denied it, but on my calling to his mind the time he read it, he acknowledged that he had written a part of the letter. We were talking about the printed copy, as it appeared in the city of Mexico.

Question by General Pillow. Have you any knowledge, or any reason to believe that General Pillow knew of the existence of the letter, or of the manner of its transmittal?

Answer. I have not.

Question by General Pillow. Was General Pillow present at Montgomery's quarters at the time the letter was read to you?

Answer. He was not.

Question by judge advocate. What was your profession, or business with the army?

Answer. I had none. I went up with the army to stay six weeks, and got locked up, as our communications were cut off, and could not get home. I had business up at Puebla.

Question by judge advocate. Who was present when the letter was read?

Answer. Captain Montgomery, and a man by the name of Gouley, his clerk, and some others. I would not be positive that Captain Montgomery and his clerk were there, but I think they were. It was a sort of convivial party; and Major Burns was reading and singing poetry, and then read this letter.

Question by judge advocate. Did you see the letter which paymaster Burns read?

Answer. I merely saw that he was reading from a letter. He was speaking, at the same time, of getting up a subscription among the officers to present a sword to General Pillow.

Question by judge advocate. What is your present business or occupation?

Answer. Merchandise, and at present a resident of Vera Cruz. My home is at New Orleans.
Sworn to before me:

S. C. RIDGELY,
Capt. 4th artillery, judge advocate recorder.

Personally appeared before me, Colonel William Trousdale, 14th regiment United States infantry, and made oath:

That between the 23d and 27th August, 1847, I placed in the hands of General Pillow one or two letters, to the best of my recollection, to be forwarded by him to the State of Tennessee, one of the letters was to my wife; and on one occasion before that, at Puebla, I had passed a letter in his hands for the same purpose. I have no personal knowledge that General Pillow was in the habit of transmitting letters for other officers. The letters which General Pillow forwarded for me, between the 23d and 27th August, were sent from Mixcoac.

WILLIAM TROUSDALE.

Signed and sworn to before me, this 9th day of May, 1848.
S. C. RIDGELY,
Capt. 4th artillery, judge advocate recorder.

V.

GENERAL ORDERS, }
No. 21. }

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, April 27, 1848.

The following review of the proceedings and opinion of the court of inquiry, instituted by the major general commanding in chief, pursuant to "general orders," No. 319, dated from the city of Mexico, October 22, 1847, in the case of Major General Gideon J. Pillow, is published to the army:

WAR DEPARTMENT,
April 26, 1848.

The records of the proceedings of a court of inquiry, convened at the city of Mexico, on the 23d of October, 1847, in pursuance of an order of Major General Scott, commanding United States army, which order was issued "at the instance of" Major General Pillow, United States army, and of which Brevet Major General W. J. Worth was president; also, a letter of Major General Pillow, of the 15th of November, 1847, addressed to the Secretary of War, appealing from a part of the finding of the court, and the approval of the same by Major General Scott, which said letter, appealing as aforesaid, was transmitted by Major General Butler, now commanding in the army in Mexico, and was received at the War Department on the 28th of March, 1848—have been laid before the President, who, after carefully examining the same, has come to the conclusions presented in the following remarks, and directs the publication thereof:

It appears that the subject of inquiry by the court related to two small howitzers, which had been taken from the enemy at the capture of Chapultepec, near the city of Mexico, on the morning of the 13th of September, 1847, and which were on the same day dismounted and removed from their carriages.

The court find, "That two small howitzers, captured at Chapultepec, were removed from their carriages during the forenoon; one was removed by and under the direction of Mr. Welsh, a follower of the army, especially of the third division, and the other by and under the direction of Lieutenant Hodge, 9th infantry, and, so far as the testimony shows, this removal from their carriages was made without the previous knowledge, authority or consent of Major General Pillow. When the guns were taken from their carriages, they were placed, at separate times, by the two individuals who had removed them, in the baggage wagon of Major General Pillow, and this, so far as the testimony shows, without the previous knowledge, authority or consent of Major General Pillow."

The court further find, "That the two howitzers were brought to town on the 15th of September in General Pillow's wagon; that one was claimed by Mr. Rogers and carried to his quarters, under his direction, whilst the other was carried to the residence of Mr. Welsh, and for him. It does not appear that Major General Pillow had any information of the actual fact, that the howitzers were in the city of Mexico, until the evening of October 8th, subsequent to the order of the general-in-chief, in relation to trophies, &c., when and subsequently he seems to have used all proper measures to have them restored."

The court further find that, "It appears from the evidence that Major General Pillow was informed by an officer acting on his staff, Passed Midshipman Rogers, of the navy, on the evening of September 13th, that two howitzers were then in his, General Pillow's wagon;" and "that Lieutenant Colonel Howard, 15th infantry, commanding officer of Chapultepec, did report to Major General Pillow, on the evening of September 13th, that two small howitzers had disappeared from their carriages; and that, about the middle of the afternoon of September 14th, the same officer did report to General Pillow that two howitzers had been found in his wagon."

The court further find that, "It appears from the evidence that, on the night of the 14th, when the garrison of Chapultepec was about being reduced in numbers, and whilst conversing with his staff about the defences of the place, General Pillow ordered two officers of his staff to have these howitzers taken out of the wagon and remounted, with some other orders, relative to the general dispositions for the defence of the work."

These findings of the court are sustained by the evidence as it is recorded in their proceedings; but it does not appear that the report which Passed Midshipman Rogers testifies he made to General Pillow on the evening of the 13th, was made prior to that of Lieutenant Colonel Howard, on the same evening. The court add to the last fact found as above stated, viz: that "General Pillow ordered two officers of his staff to have these howitzers taken out of the